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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

CLERK *m. [signature]*

SO. DIST. OF GA.

FRANKLIN L. WILLIAMS,

Plaintiff,

vs.

JAMES L. HARDEN, LLC,

Defendant.

CIVIL ACTION NO.: CV507-031

**ORDER**

After an independent review of the record, the Court concurs with the Magistrate Judge's determination that Plaintiff's Complaint should be dismissed. Plaintiff has filed Objections (Doc. No. 4) and Amended Objections (Doc. No. 5) to the Magistrate Judge's Report and Recommendation. Therein, Plaintiff reasserts and elaborates upon the facts of his Complaint, which alleged malpractice against his former criminal attorney. As the Magistrate Judge correctly determined, Plaintiff's claims are not cognizable as a civil rights action under 42 U.S.C. § 1983 because a criminal defense counsel does not act under color of state law.

Plaintiff's Objections are without merit. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of this Court. Plaintiff's Complaint is hereby

**DISMISSED.** The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 2<sup>nd</sup> day of July, 2007.



WILLIAM T. MOORE, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA